

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CARL SEMENCIC,

Plaintiff,

-against-

THE COUNTY OF NASSAU; THE NASSAU COUNTY
POLICE DEPARTMENT; COMMISSIONER PATRICK J.
RYDER, individually and officially; POLICE OFFICER
ROBERT B. McGRORY, individually and officially;
POLICE OFFICER KENNETH J. MAGNUSON,
individually and officially; JOHN DOE #1, individually and
officially; THE FRANKLIN SQUARE AND MUNSON
FIRE DEPARTMENT; DANIEL MALONEY, individually;
ROBERT FINEO, individually; and JOHN DOE #2,
individually,

Defendants.

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18-CV-5244 (SJF)(AKT)

**NOTICE OF
CROSS-MOTION FOR
RELIEF FROM AN
ORDER PURSUANT TO
FED. R. CIV. P. 55 and
FED. R. CIV. P. 60**

PLEASE TAKE NOTICE, that upon the Declaration of Stephen Carlin, Deputy County Attorney, dated April 20, 2020, the accompanying Memorandum of Law dated April 20, 2020, and all prior pleadings and proceedings had herein, defendants, County Of Nassau, The Nassau County Police Department, Patrick J. Ryder, Robert B. McGrory, and Kenneth J. Magnuson (hereinafter collectively referred to as the “County Defendants”), by their attorney, Jared A. Kasschau, Nassau County Attorney, by Stephen Carlin, Deputy County Attorney, will move this Court, before the Hon. Sandra J. Feuerstein, at the courthouse located at 100 Federal Plaza, Central Islip, New York at a time to be scheduled by the Court, for relief from the oral and unrecorded Order of Contempt and Order striking the County Defendants’ Answer at the March 10, 2020 conference, Pursuant to Fed. R. Civ. P. 55 (c) and/or Fed. R. Civ. P. 60 (a), (b) (1) and (6), and together with all such other and further relief the Court deems proper.

PLEASE TAKE FURTHER NOTICE, that, pursuant to Judge Feuerstein’s Electronic Order dated March 26, 2020, reply affidavits and memoranda shall be served by May 1, 2020.

Dated: Mineola, New York
April 20, 2020

JARED A. KASSCHAU
Nassau County Attorney
Attorney for the County Defendants

By: /s/ *Stephen Carlin*
Stephen Carlin
Deputy County Attorney
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TO: (Via ECF)

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